

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JESUS A. CARBAJAL,

Defendant.

4:12CR3090

DETENTION ORDER

After conducting a detention hearing under the Bail Reform Act, 18 U.S.C. § 3142(f), the court concludes the defendant must be detained pending trial.

Based on the evidence presented, the court finds by clear and convincing evidence that defendant's release would pose a serious risk of harm to the community, and no condition or combination of conditions of release will sufficiently ameliorate that risk.

Specifically, the court finds:

The defendant's criminal record indicates a propensity to violate the law and having been afforded an opportunity to prove himself to this court, he violated the terms of his pretrial release.

The defendant has a substance abuse addiction or abuses mood-altering chemicals and is likely to continue such conduct and violate the law if released.

Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or a designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or held in custody pending appeal. The defendant must be afforded a reasonable opportunity to consult privately with defense counsel. On order of United States Court or on request of an attorney for the Government, the person in charge of the corrections facility must deliver the defendant to the United States marshal for a court appearance.

October 17, 2012.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge